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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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MANUEL ORTEGA,

Plaintiff,

v.

CJ'S RESTAURANT AND BAKERY,  
DELICIOUS FOODS LLC, CHRIS N.  
TZAKIS , and NAGENDRA PRASAD  
REDDY;

Defendants.

**REPORT AND RECOMMENDATION TO  
FIND AS MOOT PLAINTIFF'S MOTION  
FOR TEMPORARY RESTRAINING  
ORDER ([ECF NO. 28](#))**

Case No. 2:16-cv-00167-JNP-EJF

District Judge Jill N. Parrish

Magistrate Judge Evelyn J. Furse

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Plaintiff Mr. Ortega moves the Court<sup>1</sup> to issue a “preliminary injunction, which would prohibit Prasad Reddy and his agents from illegally retaliating against Plaintiff and his loved ones by making unlawful and unconscionable threats against them, which have been plainly made to intimidate Mr. Ortega into dismissing the lawsuit at issue.” (Pls’ Mot. for a TRO (“Mot.”), [ECF No. 28](#).) The Court held a hearing on Mr. Ortega’s Motion on January 30, 2017 and issued an order regarding Mr. Reddy, CJ’s Restaurant and Bakery, and Delicious Foods’ (the Reddy Defendants) conduct during litigation. (ECF No. 32.) Mr. Ortega did not object to that Order issuing in lieu of the requested temporary restraining order or preliminary injunction. Because the undersigned issued that Order, the undersigned RECOMMENDS the District Court find Mr. Ortega’s Motion for a Temporary Restraining Order moot.

The Court will send copies of this Report and Recommendation to the parties and hereby notifies them of their right to object to the same. The Court further notifies the parties that they

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<sup>1</sup> On January 27, 2017, District Judge Jill N. Parrish referred this Motion to the undersigned Magistrate Judge under [28 U.S.C. § 636\(b\)\(1\)\(B\)](#). (ECF No. 29.)

must file any objection to this Report and Recommendation with the clerk of the court, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), within fourteen (14) days of service thereof. Failure to file objections may constitute waiver of objections upon subsequent review.

DATED this 30th day of January 2017.

BY THE COURT:

  
EVELYN J. FORSE  
United States Magistrate Judge